

STATE OF FLORIDA
FLORIDA HOUSING FINANCE CORPORATION

ROYAL GROVE APARTMENTS
DEVELOPMENT PARTNERS, LLC,

Petitioner,

vs.

FLORIDA HOUSING FINANCE
CORPORATION,

Respondent.

FHFC Case No. 2017-024BP

RFA No. 2016-110

Application No. 2017-041C

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**FORMAL WRITTEN PROTEST AND
PETITION FOR ADMINISTRATIVE HEARING**

ROYAL GROVE APARTMENTS DEVELOPMENT PARTNERS, LLC (“Royal Grove” or “Petitioner”), files this formal written protest to challenge the eligibility and funding determinations set forth in the Notice of Intended Decision issued by Respondent, Florida Housing Finance Corporation, regarding Request for Application 2016-110 Housing Credits for Affordable Housing Developments Located in Medium and Small Counties (“RFA”). In support of this Petition, Royal Grove states:

Introduction

1. This is a formal written protest filed pursuant to Sections 120.57(1) and (3), Florida Statutes,¹ Rule 28-110.004 and Rule 67-60, Florida Administrative Code (“F.A.C.”). The Division of Administrative Hearings has jurisdiction over the subject matter and parties to this proceeding. See § 120.569, 120.57(1), 120.57(3), Fla. Stat.; Fla. Admin. Code Rules 67-60.009(1) and (2).

¹All citations contained herein are to the official version of the 2016 Florida Statutes unless otherwise noted.

Parties

2. Petitioner is the applicant for a proposed affordable housing development to be located in Brevard County, Application #2017-041C (“Application”). Petitioner is a limited liability company duly organized under the laws of the State of Florida.

3. Petitioner’s address is 205 E. Central Blvd., Suite 304, Orlando, Florida 32801. For purposes of this proceeding, the Petitioner’s email address, mailing address and telephone number are those of its undersigned counsel.

4. The affected agency is the Florida Housing Finance Corporation (“Florida Housing” or “Respondent”). Florida Housing’s address is 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

5. Florida Housing is a public corporation created by Section 420.504, Florida Statutes, to administer the governmental function of financing or refinancing affordable housing and related facilities in Florida. Florida Housing’s statutory authority and mandates are set forth in Part V of Chapter 420, Florida Statutes. See §§420.501-420.55, Fla. Stat.

6. Florida Housing administers several programs aimed at assisting developers in building affordable housing in the state in an effort to protect financially marginalized citizens from excessive housing costs.

The RFA

7. On or about October 7, 2016, Florida Housing issued Request for Applications 2016-110 (the “RFA”) seeking applications for the development of affordable, multifamily housing located in the Medium and Small Counties set forth on pages 13-14 of the RFA, including Brevard County.

8. The RFA was issued by Florida Housing as the competitive selection method for allocating funding to competing affordable housing developments. As set forth in the RFA, Florida Housing expected to have up to an estimated \$12,312,632 of housing credits available for award to proposed developments located in the medium counties, delineated in the RFA. Applications in response to the RFA were due on December 2, 2016.

9. Florida Housing received approximately 137 applications in response to the RFA. Petitioner timely submitted its Application in response to the RFA requesting funding for its affordable housing project from the funding that is proposed to be allocated through the RFA. Petitioner's Application satisfies all of the required elements of the RFA and was deemed an eligible applicant.

10. The RFA sets forth the information required to be provided by an applicant and provides a general description of the type of projects that will be considered eligible for funding. The RFA also delineates the funding selection criteria as well as sets forth a list of Mandatory Items that must be included in a response. The Funding Selection, Application Sorting Order and Selection Process set forth on pages 53 and 54 of the RFA delineate the criteria and method by which applications would be selected for funding.

11. The applications were scored pursuant to the terms of the RFA and Rules 67-48 and 67-60, Florida Administrative Code. On March 24, 2017, the Florida Housing Board posted a document entitled "RFA 2016-110 – All Applications" identifying: (1) which applicants were eligible and/or ineligible; (2) which applications qualified for the Geographic Area of Opportunity Funding Goal; (3) each applicant's leveraging classification of Group A or Group B; and (4) each application's lottery number. See Exhibit A.

Petitioner's Substantial Interests

12. Royal Grove's Application, 2017-041C sought an award of funding through the RFA to develop affordable housing in Brevard County. As an applicant for a project seeking funding from the sources being allocated through the RFA, Petitioner is substantially affected by the eligibility determinations, scoring and ranking of the other responses to the RFA.

13. Royal Grove's application was deemed eligible, qualified for the Geographic Area of Opportunity funding goal, classified as Leveraging Classification Group A and received lottery number 14. See Exhibit A.

14. Florida Housing preliminarily selected 8 applications for funding in the "Other Medium County Applications" category, including Luna Trails Application Number 2017-016C ("Luna Trails' Application"). See Exhibit B.

15. Luna Trails was ranked above Royal Grove by virtue of a higher lottery number (12 vs. 14). Royal Grove's Application is the next highest ranked eligible application for funding within the "Other Medium County Applicants" category.

16. As set forth below, Luna Trails modified, without authorization from the local government, certain required verification forms and letters. Because the changes to the submitted documents were not approved/authored by the local government, the submittals fail to satisfy the Mandatory Requirements of the RFA. Royal Grove would have received its requested funding if not for Florida Housing's erroneous acceptance and scoring of Luna Trails' Application. Florida Housing's scoring of Luna Trails' Application is clearly erroneous, contrary to competition, arbitrary and/or capricious, and in violation of the terms of the RFA and the applicable administrative rules.

17. On March 29, 2017, Royal Groves filed its Notice of Protest stating its intent to

protest the preliminary eligibility determinations. See Exhibit C. The instant Formal Written Protest and Petition for Administrative Hearing was timely filed in accordance with the provisions of Section 120.57(3)(b), Florida Statutes, and Rules 28-110.004 and 67-60.009, F.A.C.

Disputed Issues of Material Fact and Law

18. Disputed issues of material fact and law exist and entitle Petitioner to a formal administrative hearing pursuant to Section 120.57(1), Florida Statutes. The disputed issues of material fact and law include, but are not limited to, the following:

a. Whether Luna Trails' Application complies with the Mandatory and Eligibility Requirements in the RFA, specifically, including requirements to provide complete and accurate verification forms from the local government insofar as one or more verification forms submitted were modified by the applicant without permission from the local government and/or the forms submitted were incomplete as the forms did not include additional information referenced by the local government in executing one or more of the verification forms. See, e.g., Exhibit D – Local Government Verification of Status of Site Plan Approval for Multifamily Developments (“Site Plan Form”); Exhibit E – Copy of the Site Plan Form with attachments obtained from the City of Titusville in response to Petitioner’s public records request.

b. Whether Luna Trails made misrepresentations to Florida Housing in reference to one or more of the local government verification(s) submitted to meet the mandatory elements.

c. Whether the provisions of the RFA have been followed and/or correct eligibility determinations have been made based on the provisions of the RFA;

d. Such other issues as may be revealed during the protest process.

Statutes and Rules Entitling Relief

19. The statutes and rules which are applicable in this case and that require modification of the proposed allocations include, but are not limited to, Section 120.57(3) and Chapter 420, Part V, Florida Statutes, and Chapters 28-110 and 67-48, 67-60, Florida Administrative Code.

Concise Statement of Ultimate Fact and Law, Including the Specific Facts
Warranting Reversal of Agency's Intended Action

20. HTG LUNA, LLC, is the applicant proposing the Luna Trails Apartments development in Brevard County, application number 2017-016C.

21. As a mandatory requirement, in Section Four of the RFA, an applicant is required to demonstrate the ability to proceed by submitting a series of forms from the appropriate local government entity. See RFA, p. 18, 62.

22. Further, the RFA requires that the “Applicant must provide. . . an acceptable letter . . . or the properly completed and executed Florida Housing Finance Corporation Verification [Form].” See RFA p. 62.

23. Based on information and belief, in submitting one or more of the requisite local government verification forms, Luna Trails modified notations placed on the form(s) by the local government by deleting references on such form(s) to an attachment and/or failed to include attachment(s) to the verification form(s) provided by the local government. For example, Luna Trails submitted a Site Plan Form in its Application as Attachment 7. See Exhibit D. The Site Plan Form, as submitted, does not have any attachments. See Exhibit D. In response to a public records request, Royal Groves received a copy of the executed Site Plan Form along with a letter from the City of Titusville intended to be an attachment to the Site Plan Form. See Exhibit E. Based on information and belief, Luna Trails modified the Site Plan Form, without authorization from the

City of Titusville, by not submitting the City of Titusville letter as an attachment to the Site Plan Form included in Luna Trails' Application.

24. As part of the application, an applicant is required to sign and submit the "Applicant Certification and Acknowledgment Form" as Attachment 1 to the application. See RFA, p. 9, 57. With respect to forms obtained from third parties, that Acknowledgment Form provides, in pertinent part:

In eliciting information from third parties required by and/or included in this Application, the Applicant has provided such parties information that accurately describes the Development as proposed in this Application. The Applicant has reviewed the third party information included in this Application [Emphasis added.]

See Exhibit F.

25. The Acknowledgment Form requires the applicant to sign the form just below the statement which provides that: "[u]nder the penalties of perjury, I declare and certify that I have read the foregoing and that the information is true, correct and complete." See Exhibit F.

26. Such a certification is included in Luna Trails' Application as required by the RFA [see Exhibit F], but, based on information and belief as outlined above, some of the information provided with the application was not true, correct and complete, but instead was modified and information from the local government not included in Luna Trails' Application.

27. As a result of unauthorized modifications, one or more of the local government verification forms are not complete and should not be accepted to satisfy the mandatory requirements. Consequently, Luna Trails' Application is not eligible for funding.

WHEREFORE, pursuant to Section 120.57(3), Florida Statutes, and Rule 28-110.004, Florida Administrative Code, Petitioner requests the following relief:

A. An opportunity to resolve this protest by mutual agreement within seven days of the filing of this Petition as provided by Section 120.57(3)(d)1., Florida Statutes.

B. If this protest cannot be resolved within seven days, that the matter be referred to the Division of Administrative Hearings for a formal hearing to be conducted before an Administrative Law Judge pursuant to Sections 120.57(1) and (3), Florida Statutes.

C. Recommended and Final Orders be entered determining that the Luna Trails application is ineligible because the unauthorized alteration of local government verification forms/letters and that the Petitioner's Application complies with all mandatory and eligibility requirements of the RFA and is eligible for funding.

Respectfully submitted this 10th day of April, 2017.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that this original has been filed with Kate Flemming, Agency Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000 Tallahassee, Florida 32301 and an electronic copy provided to Hugh Brown, General Counsel, Florida Housing Finance Corporation, Hugh.Brown@floridahousing.org via email, this 10th day of April, 2017.



Paul Brown

Attorney

EXHIBIT A

RFA 2016-110 - All Applications

Application Number	Name of Development	County	County Size	Name of Contact Person	Name of Developers	Competitive HC Request Amount	Eligible for Funding?	Qualifies for the Geographic Area of Opportunity Funding Goal?	Total Points	Development Category Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
Eligible Applications														
2017-001C	Varela	Polk	M	Shawn Wilson	Blue Sky Communities III, LLC	1,510,000	Y	Y	28	Y	Y	A	Y	39
2017-002C	Silver Pointe	Marion	M	Joseph Chambers	Gardner Capital Development Florida, LLC	1,400,000	Y	N	28	Y	Y	A	Y	13
2017-004C	Lake Eva Landings	Polk	M	Joseph Chambers	Gardner Capital Development Florida, LLC	1,500,000	Y	N	28	Y	Y	A	Y	121
2017-005C	The Club at River Ridge	Pasco	M	Shawn Wilson	Blue Sky Communities III, LLC	1,510,000	Y	N	28	Y	Y	A	Y	31
2017-006C	Palmetto Highway	Pasco	M	Shawn Wilson	Blue Sky Communities III, LLC	1,510,000	Y	Y	28	Y	Y	A	Y	50
2017-009C	The Groves	St. Johns	M	Matthew Rieger	HTG Groves Developer, LLC	1,510,000	Y	N	28	Y	Y	A	Y	66
2017-010C	Pine Ridge Manor	Volusia	M	Matthew Rieger	HTG Pine Ridge Developer, LLC	1,316,200	Y	N	28	Y	Y	B	Y	55
2017-011C	Oakridge at Palmetto	Manatee	M	Matthew Rieger	HTG Oakridge Developer, LLC	1,510,000	Y	N	28	Y	Y	A	Y	110
2017-012C	Liberty/Gardens	Hernando	M	Matthew Rieger	HTG Liberty Developer, LLC	1,510,000	Y	N	28	Y	Y	A	Y	44
2017-013C	Spring Cove	Sarasota	M	Matthew Rieger	HTG Spring Developer, LLC	1,119,221	Y	N	28	Y	Y	B	Y	125
2017-014C	Sunstar Grove	Lake	M	Matthew Rieger	HTG Sunstar Developer, LLC	938,314	Y	N	28	Y	Y	B	Y	71
2017-015C	The Addison	Manatee	M	Matthew Rieger	HTG Addison Developer, LLC	1,510,000	Y	N	28	Y	Y	A	Y	64
2017-016C	Luna Trails	Brevard	M	Matthew Rieger	HTG Luna Developer, LLC	1,510,000	Y	N	28	Y	Y	A	Y	7
2017-017C	Harbor Village	Brevard	M	Matthew Rieger	HTG Harbor Developer, LLC	1,510,000	Y	N	28	Y	Y	A	Y	108
2017-018C	Hammock Ridge II	Hernando	M	Matthew Rieger	HTG Hammock Ridge II Developer, LLC	1,435,550	Y	N	28	Y	Y	A	Y	8
2017-021C	The Pointe at Price Crossing	Sarasota	M	Todd M. Wind	Pieerre Affordable Development, LLC	1,510,000	Y	Y	28	Y	Y	A	Y	111
2017-022C	Citrus Park Place	Lake	M	Todd M. Wind	Pieerre Affordable Development, LLC	1,155,000	Y	N	28	Y	Y	B	Y	47
2017-023C	The Crossings at Four Corners	Polk	M	Joseph Chambers	Gardner Capital Development Florida, LLC	1,510,000	Y	N	28	Y	Y	A	Y	77
2017-025C	The Pointe at Sanford Village	Seminole	M	Todd M. Wind	Pieerre Affordable Development, LLC	1,510,000	Y	Y	28	Y	Y	A	Y	49
2017-026C	The Enclave at Cortez	Hernando	M	Kimberly K. Murphy	Royal American Development, Inc.; Green Mills Holdings, LLC	1,510,000	Y	N	28	Y	Y	A	Y	32
2017-029C	Venetian Grove	Pasco	M	Brianne E. Heffner	Southport Development, Inc. a WA corporation, doing business in FL as Southport Development Services, Inc.	1,460,000	Y	N	28	Y	Y	A	Y	48
2017-030C	Fortaleza Springs	Pasco	M	Brianne E. Heffner	Southport Development, Inc. a WA corporation, doing business in FL as Southport Development Services, Inc.	1,510,000	Y	N	28	Y	Y	A	Y	65
2017-032C	Braden Terrace	Manatee	M	Brianne E. Heffner	Southport Development, Inc. a WA corporation, doing business in FL as Southport Development Services, Inc.	1,460,000	Y	Y	28	Y	Y	A	Y	54
2017-034C	Banyan Cove	Volusia	M	Alexander B. Kiss	Banyan Development Group, LLC; Judd Roth Real Estate Development, Inc.	1,510,000	Y	N	28	Y	Y	A	Y	3

RFA 2016-110 - All Applications

Application Number	Name of Development	County	County Size	Name of Contact Person	Name of Developers	Competitive HC Request Amount	Eligible for Funding?	Qualifies for the Geographic Area of Opportunity Funding Goal?	Total Points	Development Category Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
2017-035C	Los Altos Apartments	Osceola	M	Alexander B Kiss	Banyan Development Group, LLC; Judd Roth Real Estate Development, Inc.; DSRG Development, LLC	1,510,000	Y	Y	28	Y	Y	A	Y	12
2017-036C	Roosevelt Manor	Polk	M	Alexander B Kiss	Banyan Development Group, LLC; Judd Roth Real Estate Development, Inc.	1,510,000	Y	N	28	Y	Y	A	Y	132
2017-038C	Deverill Abbey	St. Lucie	M	Brianne E Heffner	Southport Development, Inc. a WA corporation, doing business in FL as Southport Development Services, Inc.	840,000	Y	Y	28	Y	Y	A	Y	97
2017-039C	The Arbors at Gibson Heights	Polk	M	Clifton E. Phillips	Roundstone Development, LLC	1,510,000	Y	N	28	Y	Y	A	Y	45
2017-041C	Royal Grove Apartments	Brevard	M	Joseph Chambers	Gardner Capital Development Florida, LLC	1,510,000	Y	Y	28	Y	Y	A	Y	14
2017-043C	The Lofts of Lake Mary	Seminole	M	Joseph Chambers	Gardner Capital Development Florida, LLC	1,350,000	Y	Y	28	Y	Y	A	Y	94
2017-044C	Carey Bay	Bay	M	Brianne E Heffner	Southport Development, Inc. a WA corporation, doing business in FL as Southport Development Services, Inc.	1,460,000	Y	N	28	Y	Y	B	Y	83
2017-046C	Arbours at Zephyrhills	Pasco	M	Sam T Johnston	Arbour Valley Development, LLC	1,480,000	Y	N	28	Y	Y	A	Y	72
2017-047C	Cypress Point Estates	Pasco	M	Clifton E. Phillips	Roundstone Development, LLC	1,495,000	Y	N	28	Y	Y	B	Y	24
2017-049C	Jacaranda Terrace	Manatee	M	Shawn Wilson	Blue Sky Communities III, LLC	1,475,000	Y	N	28	Y	Y	B	Y	51
2017-050C	Arbours at Hester Lake	Pasco	M	Sam T Johnston	Arbour Valley Development, LLC	1,457,900	Y	N	18.5	Y	Y	A	Y	109
2017-051C	Vista Monroe	Seminole	M	Shawn Wilson	Blue Sky Communities III, LLC	1,510,000	Y	Y	28	Y	Y	A	Y	117
2017-053C	Cove at Palm Coast Landing	Flagler	M	Jay P. Brock	Atlantic Housing Partners, L.L.P.	1,510,000	Y	N	28	Y	Y	A	Y	58
2017-057C	River Club Place	Manatee	M	Todd M. Wind	Pecarne Affordable Development, LLC	1,510,000	Y	N	28	Y	Y	A	Y	122
2017-058C	Woodlet Field Apartments	Marion	M	Brianne E Heffner	Southport Development, Inc. a WA corporation, doing business in FL as Southport Development Services, Inc.	1,280,000	Y	N	28	Y	Y	A	Y	107
2017-059C	Venetian Walk II	Sarasota	M	Brian D Eymen	Norstar Development USA, LP	960,000	Y	N	28	Y	Y	B	Y	100
2017-060C	Arbours at Jonesville	Alachua	M	Sam T Johnston	Venetian Walk Developers, LLC	1,510,000	Y	N	28	Y	Y	A	Y	35
2017-063C	The Pointe at Toledo Village	Sarasota	M	Todd M. Wind	Arbour Valley Development, LLC	1,510,000	Y	Y	28	Y	Y	A	Y	80
2017-064C	Toledo Place	Sarasota	M	Todd M. Wind	Pecarne Affordable Development, LLC	1,510,000	Y	N	28	Y	Y	A	Y	6
2017-065C	Sunrise Park II	Polk	M	Brian D Eymen	Norstar Development USA, LP; LWHHA Development, LLC	960,000	Y	Y	28	Y	Y	B	Y	129

RFA 2016-110 - All Applications

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2017-070C	Luna Lake	Pasco	M	Brianne E Heffner	Southport Development, Inc. a WA corporation, doing business in FL as Southport Development Services, Inc.	1,510,000	Y	N	28	Y	Y	A	Y	17
2017-073C	Palm Plaza	Polk	M	Brianne E Heffner	Southport Development, Inc. a WA corporation, doing business in FL as Southport Development Services, Inc.	1,510,000	Y	N	28	Y	Y	A	Y	104
2017-075C	Palm View Apartments	Polk	M	Brianne E Heffner	Southport Development, Inc. a WA corporation, doing business in FL as Southport Development Services, Inc.	1,460,000	Y	N	28	Y	Y	A	Y	92
2017-076C	Aurmerle Landing	Osceola	M	Brianne E Heffner	Southport Development, Inc. a WA corporation, doing business in FL as Southport Development Services, Inc.	1,510,000	Y	N	28	Y	Y	A	Y	127
2017-077C	The Endline at Northshore	Bay	M	Kimberly K Murphy	Royal American Development, Inc.; Green Mills Holdings, LLC	1,510,000	Y	N	28	Y	Y	A	Y	91
2017-080C	Palm Ridge	Polk	M	Brianne E Heffner	Southport Development, Inc. a WA corporation, doing business in FL as Southport Development Services, Inc.	1,460,000	Y	Y	28	Y	Y	A	Y	84
2017-081C	Ridgewood Apartments	Polk	M	Brianne E Heffner	Southport Development, Inc. a WA corporation, doing business in FL as Southport Development Services, Inc.	330,000	Y	N	28	N	Y	A	Y	73
2017-082C	Mustang Meadows	Osceola	M	Brianne E Heffner	Southport Development, Inc. a WA corporation, doing business in FL as Southport Development Services, Inc.	1,250,000	Y	N	28	Y	Y	A	Y	38
2017-084C	Meadow Hills	Citrus	M	Oscar A Sol	Meadow Hills Dev. LLC	1,510,000	Y	N	28	Y	Y	A	Y	56
2017-085C	Osceola Landing	Osceola	M	Joseph Chambers	Gardner Capital Development Florida, LLC	1,510,000	Y	N	28	Y	Y	A	Y	85
2017-086C	Colonnade Park	Citrus	M	Oscar A Sol	Colonnade Park Dev, LLC	1,510,000	Y	N	28	Y	Y	A	Y	34
2017-087C	Blue Cypress Preserve	Osceola	M	Joseph Chambers	Gardner Capital Development Florida, LLC	1,510,000	Y	N	28	Y	Y	A	Y	118
2017-088C	Oakleigh Square	Osceola	M	Brianne E Heffner	Southport Development, Inc. a WA corporation, doing business in FL as Southport Development Services, Inc.	1,510,000	Y	Y	28	Y	Y	A	Y	106
2017-089C	Old Kings Landing	Flagler	M	Alexander K. Trent	Old Kings Development, LLC	1,510,000	Y	Y	28	Y	Y	A	Y	40
2017-090C	The Points at Citrus Village	Lake	M	Todd M. Wind	Pecanre Affordable Development, LLC	1,155,000	Y	N	28	Y	Y	B	Y	114
2017-091C	The Fountains at Hidden Lake	Citrus	M	Clifton E. Phillips	Roundstone Development, LLC	1,510,000	Y	N	28	Y	Y	A	Y	112

RFA 2016-110 - All Applications

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2017-092C	Nathan Ridge	Clay	M	James R. Hoover	TVC Development, Inc.	1,510,000	Y	N	28	Y	Y	A	Y	116
2017-093C	Jacob Heights	Hernando	M	James R. Hoover	TVC Development, Inc.	1,484,115	Y	N	28	Y	Y	A	Y	130
2017-095C	Jersey Gardens	Polk	M	Oscar A Sol	Jersey Gardens Dev, LLC	1,510,000	Y	N	28	Y	Y	A	Y	68
2017-096C	Amaryllis Park Place	Sarasota	M	Joseph Chambers	Gardner Capital Development Florida, LLC; SHA Affordable Development, LLC; DB Development Florida, LLC	1,510,000	Y	N	28	Y	Y	A	Y	4
2017-097C	Sunrise Heights	St. Lucie	M	Brian D Evien	Norstar Development USA, LP; PPHA Development, LLC	1,420,000	Y	N	28	Y	Y	B	Y	133
2017-098C	Sanctuary at Dell Park	Polk	M	Joseph Chambers	Gardner Capital Development Florida, LLC	1,510,000	Y	N	28	Y	Y	A	Y	67
2017-099C	Macle Creek	Clay	M	James R. Hoover	TVC Development, Inc.	1,482,672	Y	N	28	Y	Y	A	Y	22
2017-100C	Suwannee Pointe	Suwannee	S	Kimberly K Murphy	Royal American Development, Inc.	477,091	Y	N	28	Y	Y	A	Y	37
2017-101C	Lofts on Lemon	Sarasota	M	Joseph Chambers	Gardner Capital Development Florida, LLC; SHA Affordable Development, LLC; DB Development Florida, LLC	1,510,000	Y	Y	28	Y	Y	A	Y	19
2017-102C	Cassie Gardens	Clay	M	James R. Hoover	TVC Development, Inc.	1,479,357	Y	N	28	Y	Y	A	Y	9
2017-103C	Melissa Grove	Osceola	M	James R. Hoover	TVC Development, Inc.	1,510,000	Y	N	28	Y	Y	A	Y	99
2017-104C	Bronwyn Landing	Santa Rosa	M	James R. Hoover	TVC Development, Inc.	1,385,742	Y	N	28	Y	Y	A	Y	15
2017-105C	Kellj Grove	Lee	M	James R. Hoover	TVC Development, Inc.	1,510,000	Y	N	28	Y	Y	A	Y	61
2017-106C	Madison Palms	Brevard	M	James R. Hoover	TVC Development, Inc.	1,447,490	Y	N	28	Y	Y	A	Y	16
2017-107C	Garter Crossing Preserve	Osceola	M	James R. Hoover	TVC Development, Inc.	1,475,944	Y	N	28	Y	Y	A	Y	78
2017-108C	Oasis at Renaissance	Lee	M	Daryl C Jones	Integral Development LLC; Housing for Urban Communities, LLC	1,510,000	Y	N	28	Y	Y	A	Y	135
2017-109C	Palm Trace	Volusia	M	Joseph Chambers	Gardner Capital Development Florida, LLC	1,100,000	Y	N	28	Y	Y	B	Y	113
2017-110C	Zephyr Preserve	Polk	M	Joseph Chambers	Gardner Capital Development Florida, LLC	860,000	Y	N	28	Y	Y	B	Y	69
2017-113C	The Landings at Gibson Heights	Polk	M	Clifton E. Phillips	Roundstone Development, LLC	1,510,000	Y	Y	28	Y	Y	B	Y	43
2017-114C	Fulham Terrace	St. Lucie	M	Jonathan L. Wolf	Fulham Terrace Developer, LLC	1,510,000	Y	N	28	Y	Y	A	Y	79
2017-115C	Fox Apartments	Polk	M	Joseph Chambers	Gardner Capital Development Florida, LLC	1,085,000	Y	N	28	Y	Y	A	Y	59
2017-116C	Bristol Manor	Seminole	M	Jonathan L. Wolf	Bristol Manor Developer, LLC	1,485,000	Y	N	28	Y	Y	A	Y	75
2017-117C	The Village Lofts	Manatee	M	Donald W Paxton	WOB Beneficial Development 16 LLC	1,298,000	Y	N	28	Y	Y	B	Y	131
2017-118C	Tomolo Estates	Volusia	M	Donald W Paxton	WOB Beneficial Development 16 LLC	1,298,000	Y	Y	28	Y	Y	B	Y	119
2017-119C	Princeton Place Senior Apartments	Lee	M	Donald W Paxton	WOB Beneficial Development 16 LLC	1,396,000	Y	N	28	Y	Y	B	Y	76
2017-122C	Colonial Oaks Senior Apartments	Sarasota	M	Donald W Paxton	WOB Beneficial Development 16 LLC	1,510,000	Y	N	23	Y	Y	A	Y	128
2017-123C	Creefton Creek Senior Apartments	Sarasota	M	Donald W Paxton	WOB Beneficial Development 16 LLC	1,383,000	Y	N	28	Y	Y	A	Y	86

RFA 2016-110 - All Applications

Application Number	Name of Development	County	County Size	Name of Contact Person	Name of Developers	Competitive HC Request Amount	Eligible For Funding?	Qualifies for the Geographic Area of Opportunity Funding Goal?	Total Points	Development Category Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
2017-125C	Woodlands Borough	Bay	M	Brianne E Heffner	Southport Development, Inc. a WIA corporation, doing business in FL as Southport Development Services, Inc.	1,460,000	Y	Y	28	Y	Y	A	Y	20
2017-126C	The Cove at Dell Park	Polk	M	Joseph Chambers	Gardner Capital Development Florida, LLC	1,510,000	Y	Y	28	Y	Y	A	Y	33
2017-127C	Molly Crossing	Bay	M	James R. Hoover	TVC Development, Inc.	1,427,277	Y	N	28	Y	Y	A	Y	88
2017-128C	The Art House	Leon	M	Joseph Chambers	Gardner Capital Development Florida, LLC	1,175,000	Y	N	28	Y	Y	A	Y	74
2017-129C	Venetian Manor	Pasco	M	Brianne E Heffner	Southport Development, Inc. a WIA corporation, doing business in FL as Southport Development Services, Inc.	1,460,000	Y	N	28	Y	Y	A	Y	137
2017-130C	Rochester Park	Hernando	M	Jonathan L Wolf	Rochester Park Developer, LLC	1,510,000	Y	N	28	Y	Y	A	Y	134
2017-131C	Hickory Tree Apartments	Osceola	M	Joseph Chambers	Gardner Capital Development Florida, LLC	1,510,000	Y	Y	28	Y	Y	A	Y	81
2017-132C	Winchester Place	Hernando	M	Jonathan L Wolf	Winchester Place Developer, LLC	1,510,000	Y	N	28	Y	Y	A	Y	11
2017-133C	Prima Vista Village	St. Lucie	M	Jonathan L Wolf	Prima Vista Village Developer, LLC	1,500,000	Y	N	28	Y	Y	B	Y	26
2017-134C	Crestfield Manor	Hernando	M	Jonathan L Wolf	Crestfield Manor Developer, LLC	1,510,000	Y	N	28	Y	Y	A	Y	52
2017-135C	Windgate Commons	Martin	M	Jonathan L Wolf	Windgate Commons Developer, LLC	1,510,000	Y	N	28	Y	Y	A	Y	90
2017-136C	Lincoln Village	Maratee	M	Brian D Ewen	Norstar Development USA, LP	925,000	Y	N	28	Y	Y	B	Y	70
2017-137C	Sterling Terrace	Hernando	M	Jonathan L Wolf	Sterling Terrace Developer, LLC	1,510,000	Y	N	28	Y	Y	A	Y	98

RFA 2016-110 - All Applications

Application Number	Name of Development	County	County Size	Name of Contact Person	Name of Developers	Competitive HC Request Amount	Eligible for Funding?	Qualifies for the Geographic Area of Opportunity Funding Goal?	Total Points	Development Category Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
Ineligible Applications														
2017-003C	Madison Grove	Osceola	M	Patrick E. Law	American Residential Development, LLC	1,510,000	N	N	28	Y	Y		Y	105
2017-007C	Madison Court	Osceola	M	Patrick E. Law	American Residential Development, LLC	1,510,000	N	N	28	Y	Y		Y	30
2017-008C	Madison Trails	Osceola	M	Patrick E. Law	American Residential Development, LLC	1,510,000	N	N	28	Y	Y		Y	1
2017-019C	Abbingtion Village	Bay	M	William J. Rea	Rea Ventures Group, LLC; Kean Interests, LLC	1,510,000	N	N	28	Y	Y		Y	115
2017-020C	Abbingtion Lakes	Pasco	M	William J. Rea	Rea Ventures Group, LLC; Kean Interests, LLC	1,498,000	N	N	28	Y	Y		Y	2
2017-024C	Madison Lakes	Lee	M	Patrick E. Law	American Residential Development, LLC	1,510,000	N	N	28	Y	Y		Y	63
2017-027C	Madison Oaks	Osceola	M	Patrick E. Law	American Residential Development, LLC	1,510,000	N	N	28	Y	Y		Y	28
2017-028C	Madison Moor	Alachua	M	Patrick E. Law	American Residential Development, LLC	1,510,000	N	N	28	Y	Y		Y	123
2017-031C	The Retreat at Fairchild	Escambia	M	Christopher A. Albari	ITEX Development, LLC	1,510,000	N	Y	23	Y	Y		Y	21
2017-033C	San Palo Apartments	Osceola	M	Alexander B Kiss	Judd Roth Real Estate Development, Inc.; DSRG Development, LLC	1,510,000	N	N	28	Y	Y		Y	18
2017-037C	Preserve at Big Sky	Osceola	M	Alexander B Kiss	Judd Roth Real Estate Development, Inc.; DSRG Development, LLC	1,510,000	N	Y	28	Y	Y		Y	29
2017-040C	Sugarhill Oaks	Citrus	M	Paula M Rhodes	InVictus Development, LLC; ADC Communities, LLC; Royal American Development, Inc.	1,510,000	N	N	28	Y	Y		Y	25
2017-042C	The Providence at Sand Mine	Polk	M	Christopher A. Albari	ITEX Development, LLC	1,510,000	N	N	28	Y	Y		Y	96
2017-045C	Pinewood Terrace	Polk	M	Brian J Parent	JPM Development LLC; Outlook Development LLC	1,250,000	N	N	28	Y	Y		Y	42
2017-048C	Sand Hill Commons Apartments	Polk	M	Lori L. Dann	DID SAND HILL DEVELOPMENT LLC	1,510,000	N	N	28	Y	Y		Y	101
2017-052C	Cardinal Place Senior Apartments	Volusia	M	Brian J Parent	JPM Development LLC; Outlook Development LLC	1,050,000	N	N	28	Y	Y		Y	136
2017-054C	Madison Bay	Volusia	M	Patrick E. Law	American Residential Development, LLC	1,510,000	N	N	28	Y	Y		Y	93
2017-055C	Lakeview Village	Polk	M	Brian J Parent	JPM Development LLC; Outlook Development LLC	830,000	N	N	28	Y	Y		Y	41
2017-056C	Grande Park Senior Apartments	Hernando	M	Brian J Parent	JPM Development LLC; Outlook Development LLC	1,509,500	N	N	28	Y	Y		Y	5
2017-061C	Highland Grove Senior Apartments	Pasco	M	Brian J Parent	JPM Development LLC; Outlook Development LLC	1,509,500	N	N	28	Y	Y		Y	57
2017-062C	Waverly Place	Polk	M	Brian J Parent	JPM Development LLC; Outlook Development LLC	1,274,000	N	N	28	Y	Y		Y	103

RFA 2016-110 - All Applications

Application Number	Name of Development	County	County Size	Name of Contact Person	Name of Developers	Competitive HC Request Amount	Eligible For Funding?	Qualifies for the Geographic Area of Opportunity Funding Goal?	Total Points	Development Category Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
2017-066C	Promenade at Grande Park	Hernando	M	Brian J Parent	JPM Development LLC; Outlook Development LLC	1,403,000	N	Y	28	Y	Y		Y	23
2017-067C	Heath Brook Place Senior Apartments	Marion	M	Brian J Parent	JPM Development LLC; Outlook Development LLC	1,509,500	N	N	28	Y	Y		Y	53
2017-068C	Park Ridge Senior Apartments	Pasco	M	Brian J Parent	JPM Development LLC; Outlook Development LLC	1,509,500	N	N	28	Y	Y		Y	27
2017-069C	Residences at Fort King	Pasco	M	Brian J Parent	JPM Development LLC; Outlook Development LLC	1,509,500	N	N	28	Y	Y		Y	46
2017-071C	Winkler Place Senior Apartments	Lee	M	Brian J Parent	JPM Development LLC; Outlook Development LLC	1,509,500	N	N	28	Y	Y		Y	102
2017-072C	Amaryllis Park Place II	Sarasota	M	Joe Chambers	Florida, LLC; SHA Affordable Development, LLC; DB Development Florida, LLC	1,510,000	N	N	28	Y	Y		Y	62
2017-074C	Grand Palms Apartments	Osceola	M	Loft L Dann	DDJR DEVELOPMENT, LLC	1,510,000	N	Y	28	Y	Y		Y	95
2017-078C	Heath Brook Senior Apartments	Marion	M	Brian J Parent	JPM Development LLC; Outlook Development LLC	1,509,500	N	N	28	Y	Y		Y	10
2017-079C	Jacaranda Place	Charlotte	M	Brian J Parent	JPM Development LLC; Outlook Development LLC	1,509,500	N	N	28	Y	Y		Y	87
2017-083C	Grande Vista Senior Apartments	Pasco	M	Brian J Parent	JPM Development LLC; Outlook Development LLC	1,509,500	N	N	28	Y	Y		Y	36
2017-094C	Madison Crest	Brevard	M	Patrick E. Law	American Residential Development, LLC	1,510,000	N	N	28	Y	Y		Y	82
2017-111C	TERRA POINTE II APARTMENTS	Osceola	M	DEION R. LOWERY	DRL TP II DEVELOPMENT LLC	1,510,000	N	N	28	Y	Y		Y	124
2017-112C	VISTA DEL SOL II APARTMENTS	Osceola	M	DEION R. LOWERY	DRL VDS II DEVELOPMENT LLC	1,390,000	N	N	28	Y	Y		Y	60
2017-120C	Hollowbrook Senior Apartments	Escambia	M	Donald W Paxton	WOB Beneficial Development 16 LLC	1,360,000	N	N	23	Y	Y		Y	126
2017-121C	Summit Senior Apartments	Hernando	M	Donald W Paxton	WOB Beneficial Development 16 LLC; DDJR DEVELOPMENT, LLC	1,277,000	N	N	28	Y	Y		Y	120
2017-124C	La Vista Apartments	Osceola	M	Loft L Dann	DDJR DEVELOPMENT, LLC	1,510,000	N	N	28	Y	Y		Y	89

On March 24, 2017, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion to adopt the scoring results above.

Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., Rule Chapter 28-110, F.A.C., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

EXHIBIT B

RFA 2016-110 - Recommendations

Total HC Available for RFA	12,789,723.00
Total HC Allocated	12,548,740.00
Total HC Remaining	240,983.00

Application Number	Name of Development	County	County Size	Name of Contact Person	Name of Developers	Competitive HC Request Amount	Eligible for Funding?	Qualifies for the Geographic Area of Opportunity Funding Goal?	Total Points	Development Category Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
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Small County Applications

2017-100C	Suwannee Pointe	Suwannee	S	Kimberly K. Murphy	Royal American Development, Inc.	477,091	Y	N	28	Y	Y	A	Y	37
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Medium County Geographic Areas of Opportunity Funding Goal

2017-035C	Los Altos Apartments	Osceola	M	Alexander B Kiss	Banyan Development Group, LLC; Judd Roth Real Estate	1,510,000	Y	Y	28	Y	Y	A	Y	12
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Other Medium County Applications selected

2017-034C	Banyan Cove	Volusia	M	Alexander B Kiss	Banyan Development Group, LLC; Judd Roth Real Estate	1,510,000	Y	N	28	Y	Y	A	Y	3
2017-066C	Amaryllis Park Place	Sarasota	M	Joseph Chambers	Gardner Capital Development Florida, LLC; SHA Affordable	1,510,000	Y	N	28	Y	Y	A	Y	4
2017-016C	Luna Trails	Brevard	M	Matthew Rieger	HTG Luna Developer, LLC	1,510,000	Y	N	28	Y	Y	A	Y	7
2017-018C	Hammock Ridge II	Hernando	M	Matthew Rieger	HTG Hammock Ridge II Developer, LLC	1,435,550	Y	N	28	Y	Y	A	Y	8
2017-102C	Cassie Gardens	Clay	M	James R. Hoover	TVC Development, Inc.	1,479,357	Y	N	28	Y	Y	A	Y	9
2017-002C	Silver Pointe	Marion	M	Joseph Chambers	Gardner Capital Development Florida, LLC	1,400,000	Y	N	28	Y	Y	A	Y	13
2017-104C	Bromwyn Landing	Santa Rosa	M	James R. Hoover	TVC Development, Inc.	1,386,742	Y	N	28	Y	Y	A	Y	15
2017-081C	Ridgewood Apartments	Polk	M	Brienne E. Hefner	Southport Development, Inc. a WA corporation, doing business in FL as Southport Development Services, Inc.	330,000	Y	N	28	N	Y	A	Y	73

On March 24, 2017, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion and staff recommendation to select the above Applications for funding and invite the Applicant to enter credit underwriting.

Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., Rule Chapter 28-110, F.A.C., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

EXHIBIT C

**BEFORE THE
FLORIDA HOUSING FINANCE CORPORATION**

RE: RFA 2016-110, Housing Credit Financing of Affordable Housing Developments Located in Medium and Small Counties
Notice of Protest by Royal Grove Apartments Development Partners, LLC, Application No. 2017-041C


NOTICE OF PROTEST

Pursuant to Section 120.57(3), Fla. Stat.; Rule 28-110, Fla. Admin. Code; and RFA 2016-110 at Section Three, ROYAL GROVE APARTMENTS DEVELOPMENT PARTNERS, LLC., Application No. 2017-041C, hereby gives notice of its intent to protest the Notice regarding RFA 2016-110, copy attached as Exhibit A. Exhibit A was issued by the Florida Housing Finance Corporation via email on Friday, March 24, 2017.

This notice is being filed by electronic delivery on this date, and will be followed by the original signed document within 5 business days.

Respectfully,

Royal Grove Apartments Manager, LLC, on behalf of itself and as a manager of Royal Grove Apartments Development Partners, LLC



Joseph Chambers, its Manager
205 E. Central Blvd. Suite 304
Orlando, FL 32801
(407) 341-4550

jchambers@gardnercapital.com

EXHIBIT D

FLORIDA HOUSING FINANCE CORPORATION
LOCAL GOVERNMENT VERIFICATION OF STATUS
OF SITE PLAN APPROVAL FOR MULTIFAMILY DEVELOPMENTS

FHFC Application Reference: 2016-110

Indicate the name of the application process under which the proposed Development is applying/has applied for funding from the Corporation such as the Request for Proposal/Application number and/or the name of the Request for Proposal/Application.

Name of Development: Luna Trails

Deleon Ave, Sycamore St and Deleon Ave, Titusville

Development Location: _____

At a minimum, provide the address number, street name and city and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county).

Mark the applicable statement:

1. The above-referenced Development is (a) new construction, or (b) rehabilitation with new construction, or (c) rehabilitation, without new construction, that requires additional site plan approval or similar process. The final site plan, in the applicable zoning designation, was approved on or before the submission deadline for the above referenced FHFC Request for Proposal/Application by action of the appropriate City/County legally authorized body; e.g. council, commission, board, department, division, etc., responsible for such approval process.

2. The above-referenced Development is (a) new construction, or (b) rehabilitation with new construction, or (c) rehabilitation, without new construction, that requires additional site plan approval or similar process, and (i) this jurisdiction provides either preliminary site plan approval or conceptual site plan approval which has been issued, or (ii) site plan approval is required for the new construction work and/or the rehabilitation work; however, this jurisdiction provides neither preliminary site plan approval nor conceptual site plan approval, nor is any other similar process provided prior to issuing final site plan approval. Although there is no preliminary or conceptual site plan approval process and the final site plan approval has not yet been issued, the site plan, in the applicable zoning designation, has been reviewed.

The necessary approval and/or review was performed on or before the submission deadline for the above referenced FHFC Request for Proposal/Application by the appropriate City/County legally authorized body; e.g. council, commission, board, department, division, etc., responsible for such approval process.

3. The above-referenced Development, in the applicable zoning designation, is rehabilitation without any new construction and does not require additional site plan approval or similar process.

CERTIFICATION

I certify that the City/County of Titusville _____ has vested in me the authority to verify status of site plan
(Name of City or County)
Approval as specified above and I further certify that the information stated above is true and correct.


Signature

Brad Parrish
Print or Type Name

Planning Manager
Print or Type Title

This certification must be signed by the applicable City's or County's Director of Planning and Zoning, chief appointed official (staff) responsible for determination of issues related to site plan approval, City Manager, or County Manager/Administrator/Coordinator. Signatures from local elected officials are not acceptable, nor are other signatories. If this certification is applicable to this Development and it is inappropriately signed, the certification will not be accepted.

EXHIBIT E

City of Titusville

"Gateway to Nature and Space"

555 SOUTH WASHINGTON AVENUE
TITUSVILLE, FLORIDA 32796-3584
POST OFFICE BOX 2806 (32781-2806)



Planning Department
(321)-567-3778
Fax (321)-383-5700
www.titusville.com

September 19, 2016

Housing Trust Group, LLC
Attn: Jason Larson
3225 Aviation Ave
Suite 602
Coconut Grove, FL 33133
(561) 523-3289
jasonl@htgf.com

RE: Proposed Development Known as Luna Trails to be Located on Parcel Tax ID: 2205888 –
Florida Housing Local Government Verification of Status of Site Plan Approval for Multifamily
Development

Mr. Larson,

We have reviewed a conceptual site plan on the above referenced development.

Although this municipality has no preliminary or conceptual site plan approval process and the final site plan has not yet been issued, the proposed development is consistent with the zoning.

Upon submittal of a complete application package and meeting all requirements of the Code, the site plan could be considered for approval.

Sincerely,

A handwritten signature in blue ink that reads "Brad Parrish".

Bradley Parrish
Planning Manager

EXHIBIT F

Applicant Certification and Acknowledgement Form

1. The Applicant certifies that the proposed Development can be completed and operating within the development schedule and budget submitted to the Corporation.
2. The Applicant acknowledges and certifies that the following information will be provided by the due date outlined below, or as otherwise outlined in the invitation to enter credit underwriting. Failure to provide the required information by the stated deadline shall result in the withdrawal of the invitation to enter credit underwriting.
 - a. Within 7 Calendar Days of the date of the invitation to enter credit underwriting:
 - (1) Name and address of the chief elected official of the local jurisdiction where the proposed Development is located;
 - (2) Number of buildings with dwelling units;
 - (3) Notification of the Applicant's eligibility for acquisition credits per Section 42 of the IRC, if applicable; and
 - (4) Applicant's Federal Identification Number. If the number has not yet been obtained, the Applicant will be required to provide a copy of the completed, submitted application for that number;
 - b. Within 21 Calendar Days of the date of the invitation to enter credit underwriting:
 - (1) Certification from a licensed environmental provider confirming that a Phase I environmental site assessment has been performed for the entire Development site, and, if applicable, a Phase II environmental site assessment has been or is being performed, as outlined in Item 12 of Exhibit C of the RFA;
 - (2) Confirmation that the proposed equity amount to be paid prior to or simultaneous with the closing of construction financing is at least 15 percent of the total proposed equity to be provided (the 15 percent criteria), subject to the following:
 - (a) If syndicating/selling the Housing Credits, there are two exceptions to the preceding sentence. First, if there is a bridge loan proposal within the equity proposal that provides for bridge loan proceeds that equal at least 15 percent of the amount of total proposed equity to be provided to be made available prior to or simultaneous with closing of construction financing, the 15 percent criteria will be met. Second, if there is a separate bridge loan proposal from either the equity provider, any entity that is controlled directly or indirectly by the equity provider, or a subsidiary of the equity provider's parent holding company, and the proposal explicitly proposes an amount to be made available prior to or simultaneous with the closing of construction financing that equals at least 15 percent of the total proposed equity to be paid stated in the equity proposal, the 15 percent criteria is met. Bridge loan proposals that are not within the equity proposal, though, must meet the criteria previously stated for debt financing with the exception that evidence of ability to fund does not have to be provided. The Applicant may include the proposed amount of the bridge loan as equity proceeds on the Construction or Rehabilitation Analysis and on the Permanent Analysis (Note: this 15 percent criteria must be reflected in the limited partnership agreement or limited liability company operating agreement); or

Applicant Certification and Acknowledgement Form

- (b) If not syndicating/selling the Housing Credits, proceeds from a bridge loan will not count toward meeting the 15 percent criteria;
- (3) Confirmation that all construction features committed to and proposed by the Applicant shall be located on the Development site;
- (4) Confirmation that, if the proposed Development meets the definition of Scattered Sites, all Scattered Sites requirements that were not required to be met in the Application will be met, including that all features and amenities committed to and proposed by the Applicant that are not unit-specific shall be located on each of the Scattered Sites, or no more than 1/16 mile from the Scattered Site with the most units, or a combination of both. If the Surveyor Certification form in the Application indicates that the proposed Development does not consist of Scattered Sites, but it is determined during credit underwriting that the proposed Development does meet the definition of Scattered Sites, all of the Scattered Sites requirements must have been met as of Application Deadline and, if all Scattered Sites requirements were not in place as of the Application Deadline, the Applicant's funding award will be rescinded;
- (5) Notification of the percentage of ownership of the Principals of the Applicant. Upon the Applicant's acceptance of the invitation to enter credit underwriting, the Corporation will return the Principals of the Applicant and Developer(s) Disclosure Form that was part of the Applicant's Uploaded Application. The Applicant will be required to enter the applicable ownership percentages on the form and return the completed form to the Corporation;
- (6) If the Applicant indicates at question 5.e.(3)(a) of Exhibit A that there are existing occupied units, the Applicant must provide to the Credit Underwriter a plan for relocation of existing tenants, as outlined in Section Four A.5.e.(3) of the RFA;
- (7) Identity of the remaining members of the Development Team (i.e., inexperienced co-Developer(s), General Contractor, Architect, Attorney, Accountant and, if applicable, Service Provider), as outlined in Item 12 of Exhibit C of the RFA. The team members so identified, and any future replacement thereof, must be acceptable to the Corporation and the Credit Underwriter;
- (8) If the Applicant selected the Development Category (at question 5.c.(2) of Exhibit A) of New Construction, Redevelopment, or Acquisition and Redevelopment, as outlined in Section Four A.9.a.(2) of the RFA, the Applicant must advise the Corporation of the specific Green Building Certification Program that it commits to achieve: Leadership in Energy and Environmental Design (LEED); Florida Green Building Coalition (FGBC); or ICC 700 National Green Building Standard (NGBS); and
- (9) If the Applicant indicated at question 11.a.(1)(f)(i) of Exhibit A that the proposed Development is a first phase of a multiphase Development, the attorney opinion letter containing the required information outlined in Section Four A.11.a.(1)(f)(i) of the RFA must be provided to the Corporation by the deadline stated in the invitation to enter credit underwriting.

If the Applicant indicated at question 11.a.(1)(f)(ii) of Exhibit A that the proposed Development is a subsequent phase of a multiphase Development and the Applicant's

Applicant Certification and Acknowledgement Form

Housing Credit request is based on such contention and, during the credit underwriting process it is determined that the proposed Development does not meet the criteria for such distinction, the Applicant's Competitive Housing Credit award will be rescinded.

3. By submitting the Application, the Applicant acknowledges and certifies that:
- a. The proposed Development will meet all state building codes, including the 2012 Florida Accessibility Code for Building Construction, adopted pursuant to Section 553.503, F.S., the Fair Housing Act as implemented by 24 CFR Part 100, Section 504 of the Rehabilitation Act of 1973 as outlined in Item 3 of Exhibit C of the RFA, and the Americans with Disabilities Act of 1990 as implemented by 28 CFR Part 35, incorporating the most recent amendments, regulations and rules.
 - b. If the Elderly (ALF or Non-ALF) Demographic Commitment is selected, the proposed Development must meet all of the Elderly Demographic requirements for the applicable demographic commitment as outlined in Items 1, 4, and 4of Exhibit C to the RFA
 - c. The name of the Applicant entity stated in the Application may be changed only by written request of an Applicant to Corporation staff and approval of the Board after the Carryover Allocation Agreement is in effect. In addition, as further outlined in Item 2 of Exhibit C of the RFA the Applicant entity shall be the recipient of the Housing Credits and may not change in any way until after the Carryover Allocation Agreement is in effect.
 - d. If the Applicant applies as a Non-Profit entity and meets the requirements outlined in Section Four A.3.c. of the RFA to be considered to be a Non-Profit for purposes of this RFA, it must remain a Non-Profit entity and the Non-Profit entity must (i) receive at least 25 percent of the Developer's fee; and (ii) understand that it is the Non-Profit entity's responsibility to contractually ensure that it substantially and materially participates in the management and operation of the Development throughout the Compliance Period.
 - e. The success of an Applicant in being selected for funding is not an indication that the Applicant will receive a positive recommendation from the Credit Underwriter or that the Development Team's experience, past performance or financial capacity is satisfactory. The past performance record, financial capacity, and any and all other matters relating to the Development Team, which consists of Developer, Management Company, General Contractor, Architect, Attorney, Accountant, and Service Provider (if the proposed Development is an Elderly Assisted Living Facility), will be reviewed during credit underwriting. The Credit Underwriter may require additional information from any member of the Development Team including, without limitation, documentation on other past projects and financials. Development Teams with an unsatisfactory past performance record, inadequate financial capacity or any other unsatisfactory matters relating to their suitability may result in a negative recommendation from the Credit Underwriter.
 - f. The Principals of each Developer identified in the Application, including all co-Developers, may be changed only by written request of an Applicant to Corporation staff and approval of the Board after the Applicant has been invited to enter credit underwriting. In addition, any allowable replacement of an experienced Principal of a Developer entity must meet the experience requirements that were met by the original Principal.
 - g. During credit underwriting, all funded Applications will be held to the number of RA units stated

Applicant Certification and Acknowledgement Form

in the applicable letter provided by the Applicant as Attachment 6 to Exhibit A. This requirement will apply throughout the entire Compliance Period, subject to Congressional appropriation and continuation of the rental assistance program.

- h. The total number of units stated in the Application may be increased after the Applicant has been invited to enter credit underwriting, subject to written request of an Applicant to Corporation staff and approval of the Corporation.
- i. The invitation to enter credit underwriting will be rescinded if it is determined that the proposed Development was placed in service prior to the year in which it received its allocation.
- j. The proposed Development will include (i) all construction features commitments made by the Applicant at question 9.a. of Exhibit A, and (ii) all required construction features applicable to the proposed Development, as outlined in Item 3 of Exhibit C of the RFA. The quality of the features committed to by the Applicant is subject to approval of the Board of Directors.
- k. The proposed Development will include (i) all resident programs commitments made by the Applicant at question 9.b. of Exhibit A, and (ii) all required resident programs applicable to the Demographic selected, as outlined in Item 4 of Exhibit C of the RFA. The quality of the resident programs committed to by the Applicant is subject to approval of the Board of Directors.
- l. The proposed Development will include the required income set-aside units committed to in the Application. The Total Set-Aside Percentage stated in the Application may be increased after the Applicant has been invited to enter credit underwriting, subject to written request of an Applicant to Corporation staff and approval of the Corporation.
- m. The Applicant irrevocably commits to set aside units in the proposed Development for a total of 50 years. Note: in submitting its Application, the Applicant knowingly, voluntarily and irrevocably commits to waive, and does hereby waive, for the duration of the 50-year set aside period the option to convert to market, including any option or right to submit a request for a qualified contract, after year fourteen (14), and any other option, right or process available to the Applicant to terminate (or that would result in the termination of) the 50-year set aside period at any time prior to the expiration of its full term.
- n. The Applicant's commitments will be included in an Extended Use Agreement and must be maintained in order for the Development to remain in compliance, unless the Board approves a change.
- o. The applicable fees outlined in Item 10 of Exhibit C of the RFA will be due as outlined in this RFA, Rule Chapter 67-48, F.A.C., and/or as otherwise prescribed by the Corporation and/or the Credit Underwriter.
- p. The Applicant agrees and acknowledges that the Application will be subject to the Total Development Cost Per Unit Limitation during the scoring, credit underwriting, and final allocation process, as outlined in Item 7 of Exhibit C of the RFA.
- q. The Applicant agrees and acknowledges that the following information and documentation will be provided as outlined in Item 11 of Exhibit C of the RFA: Progress Report (Form Q/M Report); Final Cost Certification Application Package (Form FCCAP); and Financial Reporting Form SR-1.

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- r. The Applicant agrees and acknowledges that it will conform to the requirements regarding the use of replacement reserve funds and financial statements provided for the Credit Underwriter's review, as outlined in Item 11 of Exhibit C of the RFA.
 - s. The Preliminary Recommendation Letter (PRL) for this Development will be due to the Corporation no later than 12 weeks after the invitation to enter credit underwriting has been accepted, unless stated otherwise in the invitation. If the deadline cannot be met, the Applicant must request an extension by submitting a written request and payment of the applicable processing fee to the Corporation. Pursuant to paragraph 67-48.0072(21)(d), F.A.C., the Applicant is responsible for providing the Credit Underwriter with the information necessary to complete the PRL.
 - t. As outlined in Section Four A.7.b.(2)(b) of the RFA, Applicants that select the Family or Elderly Non-ALF Demographic Commitment at question 2 of Exhibit A agree to and acknowledge the Link requirements stated in Exhibit E of the RFA.
 - u. If the Applicant indicated that the proposed Development will be assisted with funding under the RD 538 Program and expects to use such funding as a source of financing, the Section 538 Selection letter sent to the Applicant by RD must be provided to the Credit Underwriter, as outlined in Section Four A.11.b.(3)(c) of the RFA.
 - v. In exchange for receiving funding from Florida Housing, Florida Housing reserves the authority to restrict the disposition of any funds remaining in any operating deficit reserve(s) after the term of the reserve's original purpose has terminated or is near termination. Authorized disposition uses are limited to payments towards any outstanding loan balances of the Development funded from Florida Housing, any outstanding Florida Housing fees, any unpaid costs incurred in the completion of the Development (i.e., deferred Developer fee), the Development's capital replacement reserve account (provided however, that any operating deficit reserve funds deposited to the replacement reserve account will not replace, negate, or otherwise be considered an advance payment or pre-funding of the Applicant's obligation to periodically fund the replacement reserve account), the reimbursement of any loan(s) provided by a partner, member or guarantor as set forth in the Applicant's organizational agreement (i.e., operating or limited partnership agreement). The actual direction of the disposition is at the Applicant's discretion so long as it is an option permitted by Florida Housing. In no event shall the payment of amounts to the Applicant or the Developer from any operating deficit reserve established for the Development cause the Developer fee or General Contractor fee to exceed the applicable percentage limitations provided for in this RFA.
4. The Applicant acknowledges that any funding preliminarily secured by the Applicant is expressly conditioned upon any independent review, analysis and verification of all information contained in this Application that may be conducted by the Corporation, the successful completion of credit underwriting, and all necessary approvals by the Board of Directors, Corporation or other legal counsel, the Credit Underwriter, and Corporation staff.

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5. If preliminary funding is approved, the Applicant will promptly furnish such other supporting information, documents, and fees as may be requested or required. The Applicant understands and agrees that the Corporation is not responsible for actions taken by the undersigned in reliance on a preliminary commitment by the Corporation. The Applicant commits that no qualified residents will be refused occupancy because they have Section 8 vouchers or certificates. The Applicant further commits to actively seek tenants from public housing waiting lists and tenants who are participating in and/or have successfully completed the training provided by welfare to work or self-sufficiency type programs.
6. By Certificate of Occupancy, the Applicant commits to participate in the statewide housing locator system, as required by the Corporation.
7. The Applicant and all Financial Beneficiaries have read all applicable Corporation rules governing this RFA and have read the instructions for completing this RFA and will abide by the applicable Florida Statutes and the credit underwriting and program provisions outlined in Rule Chapter 67-48, F.A.C. The Applicant and all Financial Beneficiaries have read, understand and will comply with Section 42 of the Internal Revenue Code, as amended, and all related federal regulations.
8. In eliciting information from third parties required by and/or included in this Application, the Applicant has provided such parties information that accurately describes the Development as proposed in this Application. The Applicant has reviewed the third party information included in this Application and/or provided during the credit underwriting process and the information provided by any such party is based upon, and accurate with respect to, the Development as proposed in this Application.
9. The undersigned understands and agrees that in the event that the Applicant is invited into credit underwriting, the Applicant must submit IRS Form 8821 for all Financial Beneficiaries and natural person Principals disclosed on the Principals of the Applicant and Developer(s) Disclosure Form (Form Rev. 08-16) in order to obtain a recommendation for a Housing Credit Allocation.
10. The Applicant understands and agrees to cooperate with any audits conducted in accordance with the provisions set forth in Section 20.055(5), F.S.
11. The undersigned is authorized to bind all Financial Beneficiaries to this certification and warranty of truthfulness and completeness of the Application.

Under the penalties of perjury, I declare and certify that I have read the foregoing and that the information is true, correct and complete.



Signature of Applicant

Matthew Rieger

Name (typed or printed)

Manager
Title (typed or printed)

NOTE: The Applicant must provide this form as Attachment 1 to the RFA. The Applicant Certification and Acknowledgement form included in the Application labeled "Original Hard Copy" must contain an original signature (blue ink is preferred).